

Ms. Marilyn Dortch, Secretary

Federal Communications Commission

445 12th Street, S.W.

Washington, D.C. 20554

Dear Secretary Dortch,

This is to record my ex parte communications with the staff members of each of the five FCC Commissioners: Martin, Tate, Adelstein, Copps, and MacDowell. My comments are summarized below:

Hello, my name is Eugene Saunders. I am President of the Board of Directors of Montgomery Community Television, also known as Access Montgomery, located in Montgomery County, Maryland. My address is 22 Prairie Landing Court, N. Potomac, Md. 20878; esaunders12@comcast.net

I am calling about MB 05-311 on video franchising. The following are my concerns:

I am calling in support of Access Montgomery and the Alliance for Community Media and its members in calling for competition in video franchising without destroying local, community created and controlled media.

1) The proposed rule eliminates incentive for video service providers to negotiate in good faith. If the city and the provider do not come to agreement in 90 days, the new provider can proceed without agreement. They can then make millions of dollars of our public land without considering local needs or the public interest, which you are here to protect.

2) The proposed rule lacks a remedy for geographic discrimination which in turn could result in economic discrimination when only higher income neighborhoods are wired. Public, Education and Government Access, or PEG, are tools to engage our entire local communities in the democratic process. Democratic participation should be for all, not based on a company business plan.

3) The proposed rule reduces the support for PEG, institutional networks and other in-kind services from that allowed by current Federal law. It is in direct contradiction to language written by the telephone companies and already passed in key states. This reduction would eliminate a valued community resource with no demonstrated effect on either price or competition.

4) It would be unacceptable for any further proposed rule making to give these companies a way out of providing PEG Access channels, equipment and financial support. The policies of the FCC should be to increase the diversity of programmers and protect localism.

5) The changes being proposed are dramatic and over-step the FCC's authority. We believe that such changes to the law should be made by Congress, not the FCC. These changes will slow competition by confusing the legal framework and worse create potential chaos as existing providers seek equal protection under the law. Changes to the law should be decided by law-makers, not the FCC.

We look forward to the FCC's establishing a process which supports both competition and community fairness.

I can be reached at 301-309-2077. Thank you for your consideration.

Sincerely,

Eugene V. Saunders, D.D.S.

President, Board of Directors

Access Montgomery/Montgomery Community Television Inc.

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